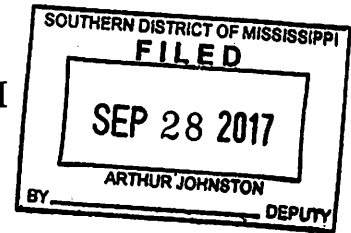


**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**



DOUGLAS HANDSHOE

v.

CIVIL ACTION NO. 1:15cv382-HSO-JCG

VAUGHN PERRET, CHARLES LEARY &  
DANIEL ABEL, D/B/A/ TROUT POINT  
LODGE LTD OF NOVA SCOTIA & IN  
THEIR INDIVIDUAL CAPACITIES  
PROGRESS MEDIA GROUP LIMITED,  
MARILYN SMULDERS, & ASHOKA

**PLAINTIFF'S MOTION TO CERTIFY SEPTEMBER 19, 2017 ORDER**

Plaintiff Douglas Handshoe respectfully moves, pursuant to 28 U.S.C. § 1292(b), to certify this Court's September 19, 2017 order for interlocutory review.

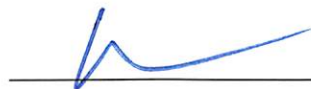
This Court decided various Motions to Dismiss under Rule 12 through a September 19, 2017 order. *See* Doc. No. 157. The order involved an issue of first impression – namely, the interpretation of SPEECH Act's provisions that allows "Any United States person against whom a foreign judgment is entered on the basis of the content of any writing, utterance, or other speech by that person that has been published, may bring an action in district court, under section 2201(a), for a declaration that the foreign judgment is repugnant to the Constitution or laws of

the United States.”<sup>1</sup>. This Court noted that the Canadian supreme Court entered its opinion and judgments on February 14, 2014. This Court granted Defendants Leary, Perret and Trout Point Lodge, Limit’s Motion to Dismiss Count 11 of the Third Amended Complaint finding that, “Plaintiff has not shown that any Defendant has sought to enforce this judgment in the United States. Plaintiff’s request is therefore premature.”

Courts possess authority to certify an interlocutory order for appellate review if “such order involves a controlling question of law as to which there is substantial ground for difference of opinion” and if “an immediate appeal from the order may materially advance the ultimate termination of the litigation.”<sup>2</sup>

For all of the reasons detailed in the contemporaneously filed memorandum in support, this case satisfies the Section 1292(b) standard.

Respectfully submitted this 28<sup>th</sup> day of September,  
2017,



Plaintiff  
Douglas Handshoe  
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<sup>1</sup> 28 U.S.C. § 4104

<sup>2</sup> 28 U.S.C. § 1292(b)

### **CERTIFICATE OF SERVICE**

I, Douglas Handshoe, hereby certify that on September 28, 2017 the foregoing was sent for electronically filing by me via the Clerk of the Court using the ECF system which sent notification to all counsel of record upon filing by the Clerk.

I, Douglas Handshoe, hereby certify that on September 28, 2017, I mailed the foregoing to Charles Leary and Vaughn Perret at 140 Trout Point Road, E. Kemptville, NS B5A 5X9 Canada.

I, Douglas Handshoe, hereby certify that on September 28, 2017, I mailed the foregoing to Trout Point Lodge, Limited at 189 Trout Point Road, E. Kemptville, NS B5A 5X9 Canada.

Respectfully submitted this 28<sup>th</sup> day of September, 2017,



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